REMARKS

In the present application claims 1-11, 13-28, 30-34, 36-46, and 48-56 remain pending. Claims 1, 18, 36 and 56 are independent.

The Office Action dated July 18, 2006 rejected claims 1-11, 13-28, 30-34, 36-46 and 48-56 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,643,671 to Milillo et al ("Milillo"), in view of U.S. Patent No. 5,504,861 to Crockett et. ("Crockett"). Applicant respectfully traverses the rejection.

Contrary to the Office Action, neither Milillo nor Crockett, alone or in combination discloses every element claimed in independent claims of the present application. For instance, Milillo does not disclose or suggest at least "performing a second point in time virtual copy of the modified data of the third volume to a fourth volume" claimed in independent claims 1, 18, 36 and 56. The Office Action cites column 2, lines 7-14 and column 3, lines 1-33 of Milillo as allegedly disclosing that element. Those cited passages of Milillo, however, discuss point-to-point copy of data from a source volume to a secondary volume in a PPRC pair. With respect to multiple source volumes, Milillo appears to be suggesting that multiple pairs can exist, that is, multiple source volumes is associated with an established PPRC pair corresponding to each of the multiple secondary volumes.

More specifically, the passage cited at col. 2, lines 7-14 discusses migrating a point-in-time copy of data from a source volume to a secondary volume in a PPRC pair. There is no mention of a point in time virtual copy of modified data of a third volume to a fourth volume. Milillo then refers to a system for snapshot copying from a simplex source to a PPRC volume pair by only sending data indicated by accumulated write commands to a secondary system rather than sending the entire source volume (col. 2, lines 31-42). The passage cited at col. 3,

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lines 1-33 indicates that such a system could be used in storage systems that comprise multiple source volumes that are to be migrated to a secondary storage system also having multiple volumes. Thus, this passage is only stating that multiple source volumes at a primary subsystem can be migrated to multiple corresponding volumes at a secondary subsystem (Fig. 2). However, to reiterate, there is no disclosure or suggestion of performing a second point in time virtual copy of modified data of a third volume that is at a remote site to a fourth volume that is also at the remote site, as claimed by the Applicant.

In addition, Crockett does not disclose or suggest what Milillo fails to disclose. Accordingly, for at least the foregoing reason, applicant believes that independent claims 1, 18, 36 and 56 are not obvious over Milillo and Crockett. Similarly, by virtue of their dependencies, claims 2-11, 13-17, 19-28, 30-34, 37-46, and 48-55 are not rendered obvious by those references for at least the same reasons.

In this reply, new claim 57 is being added. The support for the new claim is found at least on page 15 of the original specification. The new claim is also believed to be unobvious over the cited references.

In view of the foregoing, applicants respectfully requests reconsideration, withdrawal of all rejections, and allowance of all pending claims in due course.

Respectfully submitted,
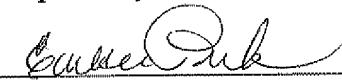
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